

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Plaintiff,

Crim. No. 08-162 (RHK/RLE)

ORDER

v.

David Leroy Rehm,

Defendant.

This matter is before the Court on Defendant's Motion to Preclude Testimony of the Government's Proposed Expert (Doc. No. 60) and Defendant's Motion for a Daubert Hearing (Doc. No. 61). In connection with those Motions, which will be addressed at the status conference scheduled for September 10, 2008, **IT IS ORDERED** as follows:

1. At or before 2:00 p.m. on Monday, September 8, 2008, the Government shall serve and file a written proffer of its expert's proposed testimony, including without limitation **detailed recitations** of (i) all opinions the expert intends to render, (ii) the basis (factual and otherwise) for those opinions, and (iii) all other matters about which the expert intends to testify. The Government shall further address in its submission how the expert's testimony "will assist the trier of fact to understand the evidence or to determine a fact in issue." Fed. R. Evid. 702. Any topics not addressed in the proffer may be excluded by the Court at trial; and

2. Defendant shall serve a file a response to the Government's written proffer, if any, at or before 5:00 p.m. on Tuesday, September 9, 2008.

Dated: September 2, 2008

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge